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Attorneys for Defendant Bazaarvoice, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

United States of America,

Plaintiff,

v.

Bazaarvoice, Inc.,

Defendant.

) CASE NO.: 13-cv-0133 WHO
)
) **JOINT STIPULATION AND ORDER**
) **REGARDING ADMISSIBILITY**
) **AND USE OF DEPOSITION**
) **TESTIMONY AT TRIAL**
)
)
) Complaint Filed: January 10, 2013
) Judge: Hon. William Orrick
) Trial Date: September 23, 2013
)
)
)

WHEREAS, the parties have met and conferred regarding the admissibility and use of deposition testimony for those witnesses whose deposition testimony may be considered at trial pursuant to Federal Rule of Civil Procedure 32;

WHEREAS, the parties believe in the interest of judicial efficiency, the Court should consider deposition testimony taken in this case as evidence without having it read into the record at trial;

WHEREAS, the parties have met and conferred concerning the admissibility of deposition testimony provided by certain witnesses who reside within 100 miles;

1 **NOW THEREFORE**, it is hereby stipulated and agreed between Plaintiff and Defendant
2 through their respective counsel listed below, subject to the approval of the Court, that:

- 3 1. The parties shall be able to use as substantive evidence the deposition testimony of
4 the corporate representatives of Gigya, Lithium, Clorox, Paypal, Wine.com, Seagate,
5 and Orchard Supply; and
6 2. All deposition testimony that would be considered substantive evidence under Federal
7 Rule 32 (including the deposition testimony noted above in Paragraph 1) shall be
8 considered as substantive evidence without having to be read into the record at trial.

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10 **IT IS SO STIPULATED**

11
12 Dated: August 12, 2013

By: /s/ Dominique-Chantale Alepin
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19 Dated: August 12, 2013

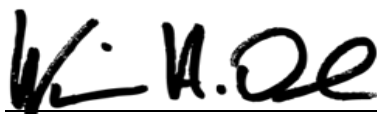
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ORDER

Pursuant to the parties' stipulation, **IT IS SO ORDERED.**

Dated: August 14, 2013

A handwritten signature in black ink, appearing to read "W. A. Orrick", written over a horizontal line.

Hon. William Orrick
United States District Court Judge

ATTESTATION

I, Dominique-Chantale Alepin, am the ECF User whose identification and password are being used to file the **JOINT STIPULATION AND ORDER REGARDING ADMISSIBILITY AND USE OF DEPOSITION TESTIMONY**. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that Peter K. Huston has concurred in this filing.

Dated: August 12, 2013

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

By: /s/ Dominique-Chantale Alepin
Dominique-Chantale Alepin

Attorneys for Defendant Bazaarvoice, Inc.